

**REQUEST FOR PROPOSAL
FOR
UNCLAIMED PROPERTY DATABASE MANAGEMENT SYSTEM
AND
TECHNICAL SUPPORT**

STATE TREASURER OF ALABAMA

Issue Date: July 2, 2015
Proposal Due Date: August 3, 2015

BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT COMPLIANCE

The Beason-Hammon Alabama Taxpayer and Citizen Protection Act (§§31-13-1 et. seq, Code of Alabama, 1975 as amended by Act 2012-491) regulates illegal immigration in the State of Alabama. All contracts with the State or a political subdivision thereof must comply with that law.

For the purposes of this RFP and any responding Proposal, the following sections of that law impose specific requirements: Section 9 (a) of the Act provides “As a condition for the award of any contract, grant, or incentive by the state, any political subdivision thereof, or a state-funded entity to a business entity or employer that employs one or more employees, the business entity or employer shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.”

Section 9(b) of the Act requires “As a condition for the award of any contract, grant, or incentive by the state, any political subdivision thereof, or a state-funded entity to a business entity or employer that employs one or more employees within the State of Alabama, the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program.”

As provided in the Act a “**business entity**” is *any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit* and an “**employer**” is defined as *any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.*

A Proposal must include a statement that the Proposer has knowledge of this law and is in compliance. Before a contract is signed, the Contractor awarded the contract must submit a Certificate of Compliance using the form at Exhibit D to this RFP and, unless exempt because it has no employees in the State of Alabama, a complete copy of the Memorandum of Understanding issued by the United State Department of Homeland Security upon enrollment in the E-Verify Program. E-Verify enrollment can be accomplished at the website of the United States Department of Homeland Security at <http://www.uscis.gov>.

See Section 10 for additional language required by Section 9(k) of the Act to be included in the contract.
Rev.5-14-13

1. Purpose.

State Treasurer Young Boozer (hereinafter “Treasurer”), in his continued effort to improve the effectiveness, performance, security, and efficiencies, within the Alabama Unclaimed Property Program, is pursuing improved technology through a modernization of the Treasury Unclaimed Property Database Management System. The purpose of this Request for Proposal is to obtain proposals from qualified firms interested in providing a computer software management program and ongoing technical support with emphasis on timely, dependable technical support combined with a state of the art customized database management system; which can interface with external supporting technology, compatible with specifications under the NAUPA, with day to day manageable and flexible features that minimizes dependency on external technical support and services, and technology capable of processing high traffic program driven transactions contrasted with maintaining an increasing number of data records (Reference Section 2).

For the purposes of the RFP an Unclaimed Property Database Management System is described as a multi-faceted computer management system which serves as the integral tool allowing Treasury to administer the day-to-day and long-term implementation of the Alabama Unclaimed Property Program to collect, house (with no statute of limitation), safe keep, and return abandoned or unclaimed property to rightful owners through defined program processes; such as communicating with and receiving business reports; and, soliciting, receiving and verifying claims for the return of these funds to rightful owners.

This Request for Proposals (hereinafter “RFP”) is issued in accordance with the requirements of Section 41-16-72(4), Code of Alabama (1975). This RFP is not an offer to contract but seeks the submission of proposals from interested firms that may form the basis for negotiation of an Unclaimed Property Software and Technical Support Agreement. *The Treasurer reserves the right to reject any or all proposals and to solicit additional proposals if that is determined to be in the best interests of the State of Alabama.*

2. Background.

The Treasurer administers the Unclaimed Property Program in accordance with Section 35-12-70 through 35-12-96, Code of Alabama (1975) (the “Code”). The Program provides that businesses and other entities report and remit unclaimed property to the State. Unclaimed property may consist of cash, safe deposit box contents, and equities, to include; stocks, bonds, and/or mutual funds. The Treasurer serves as the custodian of these properties until they are returned to the rightful owner. Currently, The Alabama Unclaimed Property database of approximately 5.3 million owner records represents over \$600 million in unclaimed assets; includes securities and safe deposit box contents. The Alabama unclaimed property database began in 1971 with the passage of the Disposition of Unclaimed Property Act. There exists no statute of limitations in regards to an owner or legal heir claiming property remitted under the governing laws of the program. The permanent retention of reported data records results in an unclaimed property database which increases in record size an average of 100,000 – 200,000 new records per year.

Additional information about the Unclaimed Property Program is available on the Treasurer’s website www.treasury.alabama.gov.

3. Proposal Required Information.

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

To be considered, responses to this RFP must include:

- **Cover Page**
- **Exhibit A**, Qualifications and Experience
- **Exhibit B**, Scope of Services
- **Exhibit C**, Statement of Fees
- **Exhibit D**, Minimum Qualifications
- **Exhibit E**, Certificate of Compliance
- **Disclosure Statement:** All proposals submitted in response to this RFP must include one original and completed Disclosure Statement as required by Section 41-16-80, et seq., Code of Alabama (1975). Copies of the Disclosure Statement, and information, may be downloaded from the Alabama Attorney General's web site at <http://ago.alabama.gov/Page-Vendor-Disclosure-Statement-Information-and-Instructions>

4. Explanation of required "Exhibit A, Qualifications and Experience"

All firms/vendors submitting a proposal in response to this RFP must provide a thorough response to each of the items as requested in Exhibit A, Qualifications and Experience. The purpose of Exhibit A will be to determine, evaluate, and contrast the vendors experience, knowledge, reputation and ability to provide, maintain and update the required product and technical services for the foreseeable future.

5. Explanation of required "Exhibit B, Scope of Services"

The responsibilities of the Firm shall be to provide a proven, flexible and customized turn-key relational database management software system and development tools/utilities which will:

- Ensure the database integrity and software stability for the custodial records and accompanying owner data through an unclaimed property management software system;
- Provide a secure and reliable multi-facet software management system to address all aspects of Alabama Unclaimed Property Program and operation;
- Provide short-term and long-term computer software technical assistance and support;
- Provide a software management system which integrates online technology to include Treasury and other website claim and business reporting processing and processes. In addition the system must have the capability to incorporate and bring online new technology aimed at program efficiency and expediency.

The Proposer must provide specific details addressing each of the items outlined in Exhibit B. As part of the requirements, the proposal must adequately provide and illustrate details and documentation outlining the proposed unclaimed property management model, system capabilities, and software, proposed database system capabilities, computer hardware requirements and specific timelines regarding conversion, training and start-up. The Treasurer

may also require a system demonstration during the RFP evaluation process. Refer to “Exhibit B, Scope of Services” for key and specific product and technical services requirements.

6. Explanation of required “Exhibit C, Statement of Fees

Please complete Exhibit C detailing and itemizing both, the fee charged for the Unclaimed Property Software Program, Ongoing Technical Support/Assistance, and proposed/available/optional add-on product/services. Any optional add-ons, etc. must be itemized and should be clearly noted. The initial cost and any associated ongoing cost, such as technical assistance services must be clearly articulated within the Exhibit C. Compensation is paid in arrears based on periodic invoices submitted and itemized in sufficient detail for a proper review and confirmation to be performed.

7. Explanation required “Exhibit D, Minimum Qualifications

In order to be considered for selection, Exhibit D must be completed and included in the RFP response as documented proof that the firm/vendor meets the established minimum qualifications.

8. Explanation of required “Exhibit E, Certificate of Compliance

In order to be considered for selection, Exhibit E must be completed and included in the RFP response as documented proof that the firm/vendor certifies compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (Act 2011-535, as amended by Act 2012-491)

9. Submission of Proposals.

Issuing Office:

Office of State Treasurer, Young Boozer
600 Dexter Avenue, Suite S-106
Montgomery, Alabama 36104

Submission Deadline: It is the responsibility of the Firm to ensure that its proposal is timely delivered and received in the Treasurer’s Office on or before 5:00 p.m. CST on August 3, 2015

Provide an original proposal response plus two additional copies to facilitate our response evaluation process. Email an electronic copy of the response to alatreas@treasury.alabama.gov for retention purposes. If your response includes confidential trade secrets or proprietary information, also send an electronic version with those sections redacted in the event a public information request for your response is received (see Section 13 for additional information). The response may be emailed by the submission deadline with the paper documents delivered within two business days.

It is the responsibility of the Firm to ensure that the proposal is timely delivered and received on or before the deadline for responding to this RFP. The Treasurer will not consider proposals received after the date and time specified herein.

Questions and Inquiries: The sole point of contact for purposes of this RFP is Ralph Ainsworth, Unclaimed Property Director. Any questions or inquiries should be emailed to him at ralph.ainsworth@treasury.alabama.gov. All written questions should be submitted by July 24, 2015. Any oral communications shall be considered unofficial and nonbinding on Treasury and shall be strictly limited to questions from responders seeking clarification of the RFP.

10. Evaluation and Selection.

All proposals timely received will be reviewed and evaluated by a Proposal Evaluation Committee. The Committee will recommend proposals to the Treasurer that most closely addresses the requirements of the RFP.

If interviews are held, you will be notified. The Treasurer reserves the right to request a best and final offer for fees from finalists.

The Treasurer will select the Firm(s) the Treasurer determines, in his sole discretion, to be fully qualified and best suited among those submitting proposals to fulfill the purposes of the RFP in a cost effective manner. *All proposals received in response to this RFP may be rejected and the Treasurer may elect to solicit additional proposals.*

11. Efforts to Influence Selection Process Prohibited

The integrity of the Request for Proposals process is of primary importance and will not be compromised. Any written or oral communications beyond the RFP response made by responders, or others on their behalf, whether paid or unpaid, to influence the selection process, from the time the RFP is issued through its conclusion, made directly or indirectly to the Treasurer or Treasury staff will be grounds for immediate elimination from the selection process.

12. Agreement

All duties of the Firm shall be set forth in a contract agreement between the selected firm and the Treasurer. The contract term shall be two years, with an option to extend for three one-year terms or similar arrangement. The contract will incorporate reference to the requirements of the RFP and the Firm's proposal as negotiated.

In compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (§31-13-9(k), Code of Alabama, 1975, as amended), the contract will include the following language:

“By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom."

State law prohibits the Treasurer from agreeing to (1) indemnify the vendor; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama for state and federal courts.

13. Public Information

All responses received will be subject to the Alabama Open Records Act, §36-12-40, Code of Alabama and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is §8-27-1 through §8-27-6, Code of Alabama. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Firm enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, the State Treasurer, and Treasury staff harmless from all costs or expenses, including but not limited to attorney fees and expenses related to litigation concerning disclosure of said information and documents.

Exhibit A

Qualifications and Experience

Part I. Organization

1. Provide an overview of your firm, including corporate profile, ownership structure, financial condition, overall business objectives, services/products offered, and strategic plans for growth.
2. Provide details of your insurance coverage and risk mitigation efforts, errors and omissions coverage and any other fiduciary insurance relevant to the scope of this RFP.
3. Provide information on all “related” or “affiliated” firms that will provide services described in this RFP.
4. Provide any restrictions, regulatory action, consent orders, past or pending litigation relating to your firm, principals, or individual personnel within the past three years;
5. Provide details of any claims, disputes, litigation or other legal proceedings where your firm is or has been involved with the State of Alabama or any of its agencies within the past three calendar years.
6. Describe factors or reasons we should consider your firm more favorably than your competitors.

Part II. Program Management

1. Provide the following information on at least 3 current or recent clients (including contact persons) for whom similar services as described in this RFP are provided:
 - a. Company
 - b. Address
 - c. Contact
 - d. Telephone Number
 - e. Length of Relationship in Years
 - f. Services provided
2. Provide an organizational chart and biographies of the person/persons/or team members who will be assigned to this program, including years of service and detailed experience relevant to this type program.

3. In order to better understand the organizational structure and staffing of your firm, please complete the following chart. "Firm Total" should be represented by total number of staff committed or assigned to the overall functions of the organization.

Positions/Staff	Firm Total
Programmers	
Technical Assistance Personnel	
Legal	
Marketing/Sales	
Administration/Office Management	
Other _____	
Total Full-Time Employees	

The Firm may provide additional detail for this section if needed.

This section should include vendor(s) specific to any outsourced services and/or products as specific to your proposal.

Exhibit B

Scope of Services

Scope of Services

- Does your unclaimed property software system currently support all aspects of the Alabama Unclaimed Property Program to include: Inquiry System, Business Reporting, Receipts, Claims, Securities, Safe Deposit Box Contents, Audits, Administrative, Ongoing Technical Assistance/Training, and other related functions of the Alabama Unclaimed Property Program?
- Explain how your unclaimed property software management system currently integrates online technology? Is the website claim and business reporting processing online?
- If applicable, describe the system's capabilities for a quick claim process. What outside systems are required (such as Lexis Nexis)?
- Explain how your system incorporates and bring online new technology aimed at program efficiency and expediency? Provide examples of current projects.
- Does your system currently provide and/or have the capability to interface with related software packages to include, but not limited to: Excel, Access, Dbase, variations of ASCII Text Formats, Lexis Nexis, Paypal, etc.? Explain the process.
- Explain how your unclaimed property software system incorporates/provides efficiencies and accountability with considerations in archiving closed records while maintaining report reconciliation?
- Is your system compatible with a server based Windows 2000 system? Provide hardware and software requirements.
- Describe your unclaimed property software system's accounting, reconciling and audit history capabilities which are interlinked between the associated data tables and database functions?
- Describe your detailed report creation capabilities to include annual activity reports and date specific activity/transaction report(s)? Does the report building module architecture provide a flexible report creation function that; 1) minimizes the need for external technical services, and, 2) provides a menu accessible report creation system and/or data querying functionality?

- Does your unclaimed property management system provide comprehensive securities (stock, mutual funds, bonds) processing features, including transaction management? In addition, does this system track security information such as issue name, symbol, CUSIP, security pricing history and detailed trade information? Does this system provide custodial batch transactions and apply corporate actions such as dividends, splits and mergers? Describe other capabilities of this function.
- Describe your safekeeping function. Do you provide best practices in recording, processing, and auctioning safe deposit box items? Are bar codes utilized?
- Does your unclaimed property management system have capability to be interactive with the State Accounting Systems, data interactive with other states (compatible with NAUPA format), and flexible in program and daily operational requirements throughout the: (a) Receipt of unclaimed property data and receipts,(b) accounting, balancing and reconciling of reports, (c) claim processing and vouchering (d) report/letter/data generation and database query reports and requirements; (e) data retention and (f) incremental growth of the database? If so, describe.
- Describe how data may be extracted to and from the Treasurer's website for searching and claiming.
- How many users does your system support simultaneously?
- Describe your experience with a data system conversion into your firm's management system. Provide a proposed conversion timeline and tasks.
- What other related services do you provide?
- Does your system provide an imaging and storage process? If so, describe.

EXHIBIT C

Statement of Fees

In this section of your proposal, you are requested to provide specific and detailed information relative to your proposal. To ensure a clear understanding of the associated costs/fees specific to your proposal you are requested to itemize and provide detail for the fee charged for the Unclaimed Property Software Program, Ongoing Technical Support/Assistance, and proposed/available/optional add-on product/services. Any optional add-ons, etc. must be itemized and should be clearly noted. The initial cost and any associated ongoing cost, such as technical assistance services must be clearly articulated within the Exhibit C.

EXHIBIT D

MINIMUM QUALIFICATIONS and MISCELLANEOUS INFORMATION

1. The Firm will be compliant with all state and federal laws applicable to the taxation of any fees paid pursuant to the contract, if selected.

Yes No

2. The Firm will register to transact business in Alabama in accordance with Code of Alabama, §10A-1-7.01, et al, if applicable. For more information, visit the Secretary of State website at www.sos.state.al.us and click Corporations.

Yes No

3. The Firm currently has, in operation, an unclaimed property management system or similar system, and has provided its technical support for at least one (1) year.

Yes No

4. The Firm and its personnel has all authorizations, permits, licenses, and certifications as may be required under federal, state or local law to perform the services specified in this RFP.

Yes No

5. The Firm carries, or will carry, errors and omissions insurance or a comparable instrument to cover the firm's negligent acts or omissions.

Yes No

6. The Firm maintains sufficient procedures and redundancy capabilities to assure continued processing in an emergency.

Yes No

7. The Firm has a company policy and practice of equal employment opportunity and non-discrimination based on race, creed or gender.

Yes No

8. The Firm agrees to uphold all applicable laws pertaining to implementation of the duties described herein to include the confidentiality of unclaimed property information as described in the Alabama Unclaimed Property Law, Section 35-12-94.

Yes No

9. Company will comply with *The Beason-Hammon Alabama Taxpayer and Citizen Protection Act*.

Yes No

EXHIBIT E

CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by Act 2012-491)

RE Contract/Grant/Incentive (*describe by number or subject*):

_____ by and
between _____

(Contractor/Grantee) and

_____ (State Agency or
Department or other Public Entity)

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of _____ with the Contractor/Grantee named above, is authorized to provide the representations that are set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by Act 2012-491) which is described herein as "the Act".
2. Applying the following definitions from the Section 3 of the Act, the Contractor/Grantee business structure is as indicated by my initials.

BUSINESS ENTITY. Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. "Business entity" shall include, but not be limited to the following:

- a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, and foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.
- b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license and any business entity that is operating unlawfully without a business license.

EMPLOYER. Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

- _____ a. The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

_____ b. The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.
3. As of the date of this Certificate, Contractor/Grantee does not knowingly employ an unauthorized alien, as that term is defined in Section 3 of the Act, within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

{Alien is any person who is not a citizen or national of the United States, as described in 8 U.S.C. § 1101, et seq., and any amendments thereto.}

{Unauthorized Alien is an alien who is not authorized to work in the United States as defined in 8 U.S.C. § 1324a(h)(3).}

4. Contractor/Grantee is enrolled in E-Verify unless *{initial the following selections which apply}*:

_____ (a) it is not eligible to enroll because of the rules of that program or other factors beyond its control.

_____ (b) it is excused from the requirement of enrollment in E-Verify because it does not have an employee in the State of Alabama.

Certified this _____ day of _____ 20____.

Name of Contractor/Grantee/Recipient

By: _____

Its _____

The above Certification was signed in my presence by the person whose name appears above, on this _____ day of _____ 20____.

WITNESS _____

Print Name of Witness